

PROB 12B
(7/93)

RECEIVED

Report Date: April 17, 2007

APR 20 2007

United States District Court

U.S. PROBATION
OFFICE SPOKANE

for the

CR-07-2050-EFS

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

APR 23 2007

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender***(Probation Form 49, Waiver of Hearing is Attached)*JAMES R. LARSEN, CLERK
DEPUTY
RICHLAND, WASHINGTON

Name of Offender: Moses Jason Andy

Case Number: D/ID: 2:99CR00136-001
ED/WA:RECEIVED
APR 23 2007
U.S. PROBATION
OFFICE TACOMA

Name of Sentencing Judicial Officer: The Honorable Unassigned Judge

Date of Original Sentence: 11/13/2000

Type of Supervision: Supervised Release

Original Offense: Aggravated Sexual Abuse
Committed in Indian Country, 18 U.S.C. § 2241(c)
and 1153; Sexual Contact With a Child Committed in
Indian Country, 18 U.S.C. § 2244(a)(1) and 1153

Date Supervision Commenced: 10/20/2006

Original Sentence: Prison - 87 Months; TSR - 60
Months

Date Supervision Expires: 10/19/2011

PETITIONING THE COURT

To modify the conditions of supervision as follows:

- 14 You shall undergo a substance abuse evaluation and, if indicated, enter into and successfully complete an approved substance abuse treatment program, including aftercare. You shall contribute to the cost of treatment according to your ability. You shall allow full reciprocal disclosure between the supervising probation officer and treatment provider.
- 15 You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.
- 16 You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from this substance.
- 17 You shall actively participate and successfully complete an approved state-certified sex offender treatment program. You shall follow all lifestyle restrictions and treatment requirements of the program. You shall participate in special testing in the form of polygraphs and plethysmographs, in order to measure compliance with the treatment program requirements. You shall allow reciprocal release of information between the supervising probation officer and the treatment provider. You shall pay for treatment and testing according to your ability.

Prob 12B

Re: Andy, Moses Jason

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CAUSE

In order for substance abuse testing conditions previously ordered by the Court to be in compliance with 9th Circuit case law, the above modifications are recommended. Mr. Andy is currently participating in sex offender treatment at alliance counseling. Mr. Andy's treatment plan requires him to submit to a polygraph. In order for Mr. Andy to be in compliance the sex offender treatment requirements, a polygraph condition is requested. The offender has agreed to the modifications and a signed waiver is enclosed for the Court's review.

Respectfully submitted,

by



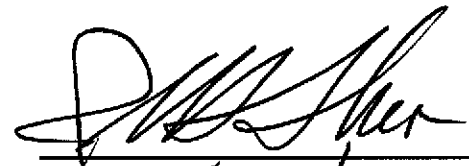
Jose Zepeda

U.S. Probation Officer

Date: April 17, 2007

THE COURT ORDERS

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other



Signature of Judicial Officer

Date

4/25/07

United States District Court**Eastern District of Washington****Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision**

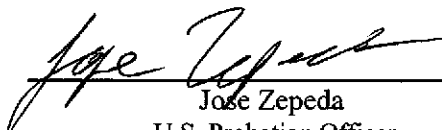
I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:


To modify the conditions of supervision as follows:

- 14 You shall undergo a substance abuse evaluation and, if indicated, enter into and successfully complete an approved substance abuse treatment program, including aftercare. You shall contribute to the cost of treatment according to your ability. You shall allow full reciprocal disclosure between the supervising probation officer and treatment provider.
- 15 You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.
- 16 You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from this substance.
- 17 You shall actively participate and successfully complete an approved state-certified sex offender treatment program. You shall follow all lifestyle restrictions and treatment requirements of the program. You shall participate in special testing in the form of polygraphs and plethysmographs, in order to measure compliance with the treatment program requirements. You shall allow reciprocal release of information between the supervising probation officer and the treatment provider. You shall pay for treatment and testing according to your ability.

Witness:


Jose Zepeda
U.S. Probation Officer

Signed:


Moses Jason Andy
Probationer or Supervised Releasee

February 12, 2007

Date